



Docket No.: 1293.1217

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Heui-jong KANG et al.

Serial No. 09/876,150

Group Art Unit: 2627

Confirmation No. 6721

Filed: June 8, 2001

Examiner: Dang, Duy M.

For: APPARATUS FOR AND METHOD OF TRANSMITTING OPTICAL SIGNAL OF GRAPHIC SIGNAL

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed August 2, 2006.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

In the statement included in the Notice of Allowance, the Examiner incorporates reasons for allowance set forth in an Office Action mailed March 13, 2006. In the March 22, 2006 Office Action, regarding independent claims 2 and 8, the Examiner recites the appropriate language of the claims; however, regarding independent claims 12, 17, 27 and 28, the Examiner recites the first paragraph of the body of each claim and the last paragraph of the body of each claim with a "... " separating the first and last paragraphs. If it is presumed that the Examiner's statement of "... " is a shorthand method of expressing the remainder of the claim included between the first

and last paragraphs, the comments are not improper. However, if it is presumed that the Examiner refers only to the first and last paragraphs, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application and such comments are improper.

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date:

10/27/06

By:

Hung H. Bui

Hung H. Bui
Registration No. 40,415

1400 Eye St., N.W., Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510